

1
2
3
4
5
6
7
8

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

11 ROBERT GARIBAY, on behalf of himself
12 and all others similarly situated,

13 Plaintiff,

14 vs.

15 WYNDHAM VACATION OWNERSHIP
16 INC.; and DOES I through 50, inclusive,

17 Defendants.

Case No. 2:21-cv-00439-JAD-NJK

**ORDER TO
EXTEND DEADLINE FOR
DEFENDANT TO FILE A RESPONSE
TO PLAINTIFF'S COMPLAINT**

(THIRD REQUEST)

18 Defendant Wyndham Vacation Ownership, Inc. (incorrectly identified as "Wyndham
19 Vacation Ownership Inc.") by and through its counsel, Jackson Lewis P.C., and Plaintiff Robert
20 Garibay ("Plaintiff") by and through his counsel, Thierman Buck LLP and Gabroy Law Offices,
21 hereby stipulate and agree to extend the time for Defendant to file an answer or otherwise respond
22 to Plaintiff's Complaint. Defendant was served on February 25, 2021 with a copy of the
23 Complaint filed in State Court, and filed a Notice of Removal on March 17, 2021. ECF No. 1.
24 Defendant's response to Plaintiff's Complaint was originally due on March 24, 2021. On March
25 23, 2021, the Court granted the parties' request for an extension of time for Defendant to file a
26 response to the Complaint to allow defense counsel sufficient time to investigate the allegations
27 of the Complaint. ECF No. 5. On April 13, 2021, the Court granted the parties' further request
28 for an extension of time for Defendant to file a response to the Complaint to allow defense

1 counsel sufficient time to investigate the allegations of the Complaint. ECF No. 10. The parties
2 have agreed to a final extension of time allow Defendant to complete its initial investigation of
3 the allegations set forth in the Complaint.

4 Defendant shall, therefore, have a fourteen (14) day extension up to and including May 12,
5 2021, to file a responsive pleading to Plaintiff's Complaint.

6 This stipulation and order is sought in good faith and not for the purpose of delay. This is
7 the third request for extension of this deadline.

8 Dated this 26th day of April, 2021.

9 JACKSON LEWIS P.C.

THIERMAN BUCK LLP

10 /s/ Daniel I. Aquino

11 Kirsten A. Milton, Bar #14401
12 Daniel I. Aquino, Bar #12682
13 300 S. Fourth Street, Suite 900
14 Las Vegas, Nevada 89101

15 *Attorneys for Defendant*

/s/ Joshua D. Buck

16 Mark R. Thierman, Bar #8285
17 Joshua D. Buck, Bar #12187
18 Leah L. Jones, Bar #13161
19 Joshua R. Hendrickson, Bar #12225
20 7287 Lakeside Drive
21 Reno, Nevada 89511

22 Christian Gabroy, Bar #8805

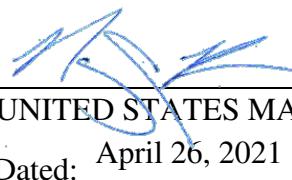
23 Kaine Messer, Bar #14240

24 GABROY LAW OFFICES

25 170 South Green Valley Parkway, Suite 280
26 Henderson, Nevada 89012

27 *Attorneys for Plaintiff*

28 **IT IS SO ORDERED.**

29 
30 UNITED STATES MAGISTRATE JUDGE
31 Dated: April 26, 2021